

REMARKS

Claims 1, 4-7, 10-49 are pending. New claims 21-49 are added. Claims 1, 4-7 and 10-20 are amended. Claims 2, 3, 8 and 9 are canceled. No new matter was introduced by these amendments to the claims, which are fully supported by the disclosure of the subject application. These amendments to the claims are made without prejudice or waiver and do not represent acquiescence in any ground of rejection. Applicant respectfully requests entry of these amendments to the claims.

In the outstanding office action, the drawings are objected to for missing disclosure, and claims 1, 4-7 and 10-20 are rejected as obvious under 35 U.S.C. § 103(a) over Pfeiffer (on-line catalogue at www.pfeiffer.de) in view of Cowley, et al. (U.S. 2005/0176630) ("Cowley"), Pang, et al. (U.S. 2004/0228846) ("Pang"); Grandt, et al. (*BBRC* 186:1299-306, 1992) ("Grandt"); Batterham, et al. (*Nature* 418:650-54, 2002) ("Batterham"); and Jones (U.S. 6,596,740) ("Jones").

Drawings

Examiner objected to the drawings for the lack of a figure on page 15, and refers to a page 16 of the drawings. Applicant respectfully refers Examiner to the subject application as published, US 2004/0214772 A1, which includes the figures as filed on page 15, and does not contain a page 16 of the drawings. Applicant requests Examiner withdraw this objection in light of this evidence that the application as filed contained the disclosure of page 15 of the drawings.

Claims

In an effort to expedite prosecution of the subject application, and to narrow the issues and all grounds for rejection, Applicant amended pending claims 1, 4-7 and 10-20 (without prejudice or waiver as to claimed subject matter), and added new claims 21-49. Pursuant to the Examiner Interview, Applicant believes these amendments remove all issues raised in the outstanding Office Action.

Obviousness-Type Double Patenting

Pursuant to the Examiner Interview, Applicant submits herewith an executed Terminal Disclaimer to resolve any provisional rejection for obviousness-type double patenting pertaining to co-pending Application Nos. 10/745,069, filed December 23, 2003; 10/322,266, filed December 17, 2002; 10/869,649, filed June 16, 2004; and 10/768,288, filed January 30, 2004.

CONCLUSION

Applicant requests reconsideration of the rejections of the claims, and withdrawal of the rejections for any and all of the reasons presented above. Applicant made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that Examiner telephone Peter J. Knudsen, Applicant's attorney at 425-908-3643 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,
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